

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

	X	
In re BHP BILLITON LIMITED	:	Civil Action No. 1:16-cv-01445-NRB
SECURITIES LITIGATION	:	
	:	<u>CLASS ACTION</u>
	:	
This Document Relates To:	:	NOTICE OF LEAD PLAINTIFFS' MOTION
	:	FOR FINAL APPROVAL OF SETTLEMENT
ALL ACTIONS.	:	AND APPROVAL OF PLAN OF
	:	ALLOCATION AND FOR AN AWARD OF
	X	ATTORNEYS' FEES AND EXPENSES AND
		AN AWARD TO LEAD PLAINTIFFS
		PURSUANT TO 15 U.S.C. §78u-4(a)(4)

TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD

PLEASE TAKE NOTICE that upon: (i) the Declarations of Joseph Russello, affirmed on December 18, 2018; (ii) the Declarations of James D. Love, affirmed on December 18, 2018; (iii) the Declaration of Brenda Szydlo, affirmed on December 14, 2018; (iv) the Stipulation of Settlement, dated as of September 14, 2018 and the Exhibits annexed thereto; (v) the Declaration of Mishka Ferguson, affirmed on December 17, 2018; (vi) Lead Plaintiffs' Memorandum of Law in Support of Motion for Final Approval of Settlement and Approval of Plan of Allocation and for an Award of Attorneys' Fees and Expenses and an Award to Lead Plaintiffs Pursuant to 15 U.S.C. §78u-4(a)(4); and (vii) all other proceedings herein, Lead Plaintiffs City of Birmingham Retirement and Relief System and City of Birmingham Firemen's and Policemen's Supplemental Pension System, by and through their attorneys, will move this Court, before the Honorable Naomi Reice Buchwald, United States District Judge for the Southern District of New York, at the Daniel Patrick Moynihan United States Courthouse, Courtroom 21A, 500 Pearl Street, New York, New York on March 5, 2019, at 11:00 a.m., for entry of orders and judgments pursuant to Rule 23 of the Federal Rules of Civil Procedure: (1) finally approving the settlement of the captioned litigation; (2) approving the Plan of

Allocation; (3) awarding Lead Counsel attorneys' fees, plus expenses in the litigation; and (4) awarding Lead Plaintiffs for their time incurred directly related to the representation of the Class.

Proposed orders will be submitted with Lead Plaintiffs' reply submission due on or before January 29, 2019.

DATED: December 18, 2018

Respectfully submitted,

ROBBINS GELLER RUDMAN
& DOWD LLP
SAMUEL H. RUDMAN
JOSEPH RUSSELLO
MICHAEL G. CAPECI

s/ Joseph Russello
JOSEPH RUSSELLO

58 South Service Road, Suite 200
Melville, NY 11747
Telephone: 631/367-7100
631/367-1173 (fax)
srudman@rgrdlaw.com
jrussello@rgrdlaw.com
mcapeci@rgrdlaw.com

ROBBINS GELLER RUDMAN
& DOWD LLP
THEODORE J. PINTAR (admitted *pro hac vice*)
655 West Broadway, Suite 1900
San Diego, CA 92101-8498
Telephone: 619/231-1058
619/231-7423 (fax)
tedp@rgrdlaw.com

Lead Counsel for Plaintiffs

POMERANTZ LLP
JEREMY A. LIEBERMAN
BRENDA SZYDLO
600 Third Avenue
New York, NY 10016
Telephone: 212/661-1100
212/661-8665 (fax)

Additional Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I, Joseph Russello, hereby certify that on December 18, 2018, I authorized a true and correct copy of the foregoing document to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such public filing to all counsel registered to receive such notice.

s/ Joseph Russello

JOSEPH RUSSELLO